

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GREG S. LOY,

Plaintiff,

vs.

Civil Action 2:09-cv-00307

Judge John D. Holschuh

Magistrate Judge E. A. Preston Deavers

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This matter is before the Court for consideration of the December 17, 2010, Report and Recommendation of the Magistrate Judge (ECF No. 23). The Magistrate Judge recommended that the Court deny Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act (ECF No. 20).

The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (ECF No. 23 at 13). The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred. Noting that no objections have

been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, the Court **DENIES** Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act (ECF No. 20).

IT IS SO ORDERED.

Date: January 11, 2011

/s/ John D. Holschuh
John D. Holschuh, Judge
United States District Court